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EXAMINER

HUYNH, THU V

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/827,476

Applicant(s)

IDE ET AL.

Examiner

Thu V. Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

RD

DETAILED ACTION

1. This action is responsive to communications: RCE filed on 07/19/05 to application filed on 04/06/2001, which has priority of provisional filed on 04/07/2000.
2. Claims 1-2 and 7 are amended.
3. Claims 1-13 are pending in the case. Claims 1 and 7 are independent claims.
4. The rejections of claim 9 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement, have been withdrawn as necessitate by the amendment.
5. All rejections of claims 1-13 under 35 U.S. C. 103(a) in previous office action have been withdrawn as necessitate by the amendment.

Claim Objections

6. Claims 8, 10 and 13 are objected to because of the following informalities:

Regarding claim 8, which is dependent on claim 7, “The content displaying method according to claim 7, wherein the stop (b) comprises the step of” has typographical errors as indicated in bold and underline format. The use of “b.3) when no match is found in step (b.2), header of the obtained content data to discriminate the content type of the obtained content data” should be “b.3) when no match is found in step (b.2), **checking or using** header of the obtained content data to discriminate the content type of the obtained content data” Appropriate correction is required.

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Regarding claim 10, which is dependent on claim 7, “c.1) when it is determined that the code is text data, parsing the obtained ...” has typographical errors as indicated in bold and underline format.

Regarding claim 13, which is dependent on claim 10, “is one Of HTML” has typographical errors as indicated in bold and underline format. Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. Claim 10 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Applicants stated with respect to claim10 that, support for the claims can be found at least on pages 10 and 11 of the specification”.

However, examiner cannot find the limitations of claim10, specifically at “when it is determined that the obtained content data is not described in the predetermined information description language, parsing the obtained content data based on discriminated content type of a previously obtained content data”.

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In order to exam this application, Examiner assumes the limitation of claims 9-10 discussed above as “when it is determined that the obtained content data is not described in the predetermined information description language, parsing the obtained content data based on the discriminated content type of the obtained content data”.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. **Claims 1-2, 5, 7, 10, 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Colson et al., US 6,708,217 B1, filed 01/05/2000.**

Regarding independent claim 1, Colson teaches the steps of:

- a content obtainer for obtaining content data from a desired content server via a network in an unknown information description language (Colson, col.1, lines 35-47; obtaining a document from a server, wherein the document is able to be an HTML or XML content);
- a content-type discriminator for discriminating an information description language of the obtained content data from a plurality of predetermined content types (Colson, col.7, line 47 – col.8, line 15; determining an information description language of the

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- document, such as “HTML text” from plurality of predetermined content types, such as content type “text/ascii” is ASCII text, “text/html” is HTML text, ect.);
- a plurality of parsers corresponding to respective ones of the plurality of predetermined content types, wherein the obtained content data is parsed by a corresponding parser depending on a discrimination information description language thereof to produce displaying information (Colson, col.1, lines 35-47; col.7, line 47 – col.8, line 15; plurality of parsers, such as HTML, XML processors corresponding to respective ones of plurality of the predetermined content types are used to parse the document to produce display information); and
 - a displaying section for displaying an obtained content based on the displaying information (Colson, col.1, lines 35-47, the document (HTML or XML) must be parsed to display the document).

Regarding claim 2, which is dependent on claim 1. Colson teaches the plurality of predetermined content types are determined by respective ones of the information description languages having no compatibility with each other (Colson, col.1, lines 35-47; col.7, line 47 – col.8, line 15).

Regarding claim 5, which is dependent on claim 1, Colson teaches wherein the content-type discriminator discriminates a content type of the obtained content data by refereeing to a content-type indicating code included in a protocol header of the obtained content data (Colson,

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col.2, lines 4-57, col.8, lines 45-67; searching the boundary string followed by a “content-type:” entry in the header of the document).

Regarding independent claim 7, Colson teaches the steps of:

- a) obtaining content data from a desired content server via a network having an unknown information description language (Colson, col.1, lines 35-47; obtaining a document from a server, wherein the document is able to be an HTML or XML content);
- b) discriminating an information description language of the obtained content data from a plurality of predetermined content types (Colson, col.7, line 47 – col.8, line 15; determining an information description language of the document, such as “HTML text” from plurality of predetermined content types, such as content type “text/ascii” is ASCII text, “text/html” is HTML text, ect.);
- c) parsing the obtained content data depending on a discrimination result of the step (b) to produce displaying information (Colson, col.1, lines 41-47, col.9, lines 1-6; the content registry using the content type retrieved to send the content (document) to corresponding content renders capable of rendering that document); and
- d) displaying an obtained content based on the display information (Colson, col.1, lines 41-47, col.9, lines 1-6).

Regarding claim 10, which is dependent on claim 1, Colson teaches wherein said discriminating step comprises the steps of:

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- b.1) storing a plurality of unique codes each indicating the plurality of predetermined content types (Colson, figures 3-4; col.7, line 47 – col.8, line 15; col.9, lines 11-12, lookup content type in mapping registry);
- b.2) checking a code arranged at a predetermined location or the obtained content data to determine whether the code is text data (Colson, fig.4, col.2, lines 4-57; col.8, lines 45-67; col.9, lines 11-12, searching a boundary string follow by a “Content-type:” entry to discriminate the content type of the document for “text/html” or “audio/wav”);
- b.3) when it is determined that the code is not text data, searching the plurality of unique codes for a code arrange at a predetermined location of the obtained content data to discriminated the content type of the obtained content data (Colson, figures 3-4; col.7, line 47 – col.8, line 15; col.9, lines 11-12, lookup content type in mapping registry for a content type of the document in “content-type:” header); and

the step (c) comprises the steps of:

- c.1) when it determined that the code is text data, parsing the obtained content data based on description of a display information (Colson, col.1, lines 35-47; col.7, line 47 – col.8, line 15; html browser is used to parse the document having “text/html” content type); and
- c.2) when it determined that the code is not text data, parsing the obtained content data based on the discriminated content type of the obtained content data (Colson, fig.3; col.7, line 47 – col.8, line 15; col.9, lines 17-19; if the document audio, sending the document to audio processor for process).

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Regarding claim 13, which is dependent on claim 10, wherein the predetermined information description language is one of HTML (Hypertext Markup Language) and compact HTML that is a subset of the HTML (Colson, col.1, lines 35-47; col.7, line 47 – col.8, line 15).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

(b) This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

11. **Claim 3 is rejected under 35 U.S. C. 103(a) as being unpatentable over Colson as applied to claim 2 above and further in view of Halahmi, US 6,684,088 B1, filed 03/01/2000.**

Regarding claim 3, which is dependent on claim 2, Colson teaches wherein the information description languages include HTML (Hypertext Markup Language) and XML (eXtensible Markup Language) (Colson, col.1, lines 35-47; col.7, line 47 – col.8, line 15).

However, Colson does not explicitly disclose the information description languages include WML (Wireless Markup Language).

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Halahmi teaches wherein the information description language include HTML (Hypertext Markup Language) and WML (Wireless Markup Language) (Halahmi, col.8, lines 16-18 and 30-32; col.9, lines 1-13 and 43-60; and col.11, lines 1-11 and 21-25; portion server parses the header information to identify different content types, such as text, image, TIFF, HTML, video or WML).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Halahmi's parsing method into Chu-Carroll to translate any document type including a WML type into a suitable document as Chu-Carroll disclosed in paragraphs 53, 71 and 140.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Halahmi's WML content type into Colson's HTML and XML, since the combination would have provide many predetermined content types so that a corresponding browsers are used to understand, parse, and produce display information.

12. Claims 4, 6, 8-9, 12 are rejected under 35 U.S. C. 103(a) as being unpatentable over Colson as applied to claim 1 and 7 above and further in view of Chu-Carroll et al., US 2003/0212686 A1, provisional filed 03/17/2000

Regarding claim 4, which is dependent on claim 1, Colson does not explicitly teach wherein the content-type discriminator discriminates a content type of the obtained content data by refereeing to a code arranged at a predetermined location of the obtained content data.

Chu-Carroll teaches searching the plurality of unique codes for a code arranged at a predetermined location of the obtained content data to discriminate the content type of the

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obtained content data (Chu-Carroll, [0067]-[0068], for XML document type, finding a marker at the first few lines of the document or top-level tag to identify the document type).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Chu-Carroll's teaching into Colson to identify a type of any document, such as HTML or XML, since the combination would have provides many techniques are used to identify the document type when either one of the techniques can not verify the document type.

Regarding claim 6, which is dependent on claim 1, Colson does not explicitly teaches the content-type discriminator discriminates a content type of the obtained content data by referring to a code arranged at a predetermined location of the obtained content data before referring to a content-type indicating code included in a protocol header of the obtained content data.

Chu-Carroll teaches wherein the content-type discriminator discriminates a content type of the obtained content data by refereeing to a code arranged at a predetermined location of the obtained content data (Chu-Carroll, [0067]-[0068], for XML document type, finding a marker at the first few lines of the document or top-level tag to identify the document type).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Chu-Carroll's teaching into Colson to identify a type of any document, such as HTML or XML, since the combination would have provides many techniques are used to identify the document type when either one of the techniques can not verify the document type.

Regarding claim 8, which is dependent on claim 7, Colson teaches wherein the step(b) comprises the steps of:

- b.1) storing a plurality of unique codes each indicating the plurality of predetermined content types (Colson, figures 3-4; col.7, line 47 – col.8, line 15; col.9, lines 11-12, lookup content type in mapping registry);
- b.3) using header of the obtained content data to discriminate the content type of the obtained content data (Colson, fig.4, col.2, lines 4-57; col.8, lines 45-67; col.9, lines 11-12, searching a boundary string follow by a “Content-type:” entry to discriminate the content type of the document).

However, Colson does not explicitly disclose searching the plurality of unique codes for a code arranged at a predetermined location of the obtained content data to discriminate the content type of the obtained content data.

Chu-Carroll teaches searching the plurality of unique codes for a code arranged at a predetermined location of the obtained content data to discriminate the content type of the obtained content data (Chu-Carroll, [0067]-[0068], for XML document type, finding a marker at the first few lines of the document or top-level tag to identify the document type).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Chu-Carroll’s teaching into Colson to identify a type of any document, such as HTML or XML, since the combination would have provides many techniques are used to identify the document type when either one of the techniques can not verify the document type.

Regarding claim 9, which is dependent on claim 7, Colson teaches wherein said discriminating step comprises the steps of:

- b.1) storing a plurality of unique codes each indicating the plurality of predetermined content types storing a plurality of unique codes each indicating the plurality of predetermined content types (Colson, figures 3-4; col.7, line 47 – col.8, line 15; col.9, lines 11-12, lookup content type in mapping registry);
- b.2) checking a protocol header of the obtained content data to determine whether the obtained content data is described in a predetermined information description language (Colson, fig.4, col.2, lines 4-57; col.8, lines 45-67; col.9, lines 11-12, searching a boundary string follow by a “Content-type:” entry to discriminate the content type of the document for XML or HTML); and

the step (c) comprises the steps of:

- c.1) when it is determined that the obtained content data is described in the predetermined information description language, parsing the obtained content data based on description or the predetermined information description language to produce the displaying information (Colson, col.1, lines 35-47; col.7, line 47 – col.8, line 15; col.9, lines 1-12; plurality of parsers, such as HTML, XML processors corresponding to respective ones of plurality of the predetermined content types are used to parse the document to produce display information); and
- c.2) when it is determined that the obtained content data is not described in the predetermined information description language, parsing the obtained

content data based on the content data type of obtained content data (Colson, col.7, line 47 – col.8, line 15; if the document audio, sending the document to audio processor for process).

However, Colson does not explicitly disclose searching the plurality of unique codes for a code arranged at a predetermined location of the obtained content data to discriminate the content type of the obtained content data.

Chu-Carroll teaches searching the plurality of unique codes for a code arranged at a predetermined location of the obtained content data to discriminate the content type of the obtained content data (Chu-Carroll, [0067]-[0068], for XML document type, finding a marker at the first few lines of the document or top-level tag to identify the document type).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Chu-Carroll's teaching into Colson to identify a type of any document, such as HTML or XML, since the combination would have provides many techniques are used to identify the document type when either one of the techniques can not verify the document type.

Regarding claim 12, which is dependent on claim 9, Colson teaches wherein the predetermined information description language is one of HTML (Hypertext Markup Language) and compact HTML that is a subset of the HTML (Colson, col.1, lines 35-47; col.7, line 47 – col.8, line 15).

13. Claim 11 are rejected under 35 U.S. C. 103(a) as being unpatentable over

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Colson as applied to claim 7, and further in view of Gillon et al., US 5,838,927, filed 11/1996.

Regarding claim 11, which is dependent on claim 7, Colson teaches wherein the said discriminating step comprises the steps of:

- b.1) storing a plurality of content types used in predetermined communication protocol, each of the content type indicating the plurality of predetermined content types (Colson, figures 3-4; col.7, line 47 – col.8, line 15; col.9, lines 11-12, lookup content type in mapping registry);
- b.2) searching the plurality of content types of the obtained content data to discriminate the content type of the obtained content data (Colson, figures 3-4, col.2, lines 4-57; col.8, lines 45-67; col.9, lines 11-12, searching a string follow by a “Content-type:” entry, such as “text/html”, “image/gif” or “audio/wav” to discriminate the content type of the document).

However, Colson does not explicitly disclose using file name extension to discriminate the content type of the obtained content data.

Gillon teaches using content type header or file extension to determine data type (Gillon, fig.6, box 604) includes the steps of

- a) storing a plurality of file name extensions used in predetermined communication protocol, each of the file name extensions indicating the plurality of predetermined content types (Gillon, col.7, lines 3-9; identifying the content type by matching the file extension of the obtained file with predetermined types. This inherently discloses that the predetermined types must be stored in order matching process); and

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- b) searching the plurality of file name extensions for a file name extension of the obtained content data to discriminate the content type of the obtained content data (Gillon, col.5, lines 38-67 and col.7, lines 3-9; identifying the content type by matching the file extension of the obtained file with predetermine types. This inherently discloses searching process must be occurred in order matching the file extension of the obtained file with predetermine types).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Gillon's teaching into Colson to identify a type of a document, since the combination would have provided many techniques are used to identify the document type when either one of the techniques can not verify the document type.

Response to Arguments

14. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

Applicants argue that "claim 1 not present the cited combination is a content obtainer for obtaining content data from a desired content server via a network in an unknown information description language", such as "when the cellular telephone request this information, it does not know whether the information will be received as HTML or WML content, and "in Chu-Carroll, the incoming message is in a known-information description language (i.e., an XML document) wherein the document is some unknown type".

However, Colson teaches such limitation as explained in the rejection above.

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Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

King et al., US 2004/0203670 A1, filed 09/1998, teaches wireless mobile devices having improved operation during network unavailability.

Huang et al., US 6,895,551 B1, filed 09/1999, teaches network quality control system.

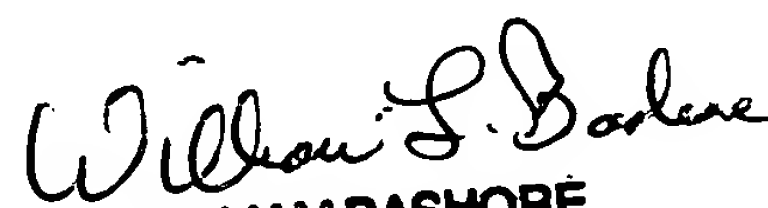
Hirsch, US 6,924,828 B1, filed 04/1999, teaches Method and apparatus for improved information representation

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu V Huynh whose telephone number is (571) 272-4126. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TVH
August 21, 2005


WILLIAM BASHORE
PRIMARY EXAMINER
8/21/2005